

MAINE STATE LEGISLATURE

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*State Of Maine
122nd Legislature*

*First Regular Session and
First Special Session*

Bill Summaries

*Joint Standing Committee
on
Inland Fisheries and Wildlife*

August 2005

Members:

*Sen. Bruce S. Bryant, Chair
Sen. Joseph C. Perry
Sen. Chandler E. Woodcock*

*Rep. Thomas R. Watson, Chair
Rep. Walter A. Wheeler, Sr.
Rep. Stanley A. Moody
Rep. Jacqueline A. Lundeen
Rep. Troy D. Jackson
Rep. Mark E. Bryant
Rep. A. David Trahan
Rep. Earl E. Richardson
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Rep. David E. Richardson*

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Maine State Legislature

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122nd Legislature
First Regular Session and First Special Session

Summary of Legislation Considered by the Joint Standing Committees
August 2005

Enclosed please find a summary of all bills, resolves, joint study orders, joint resolutions and Constitutional resolutions that were considered by the joint standing select committees of the Maine Legislature this past session. The document is a compilation of bill summaries which describe each bill and relevant amendments, as well as the final action taken. Also included are statistical summaries of bill activity this session for the Legislature and each of its joint standing committees.

The document is organized for convenient reference to information on bills considered by the committees. It is organized by committees and within committees by bill (LD) number. The committee report(s), prime sponsor for each bill and the lead co-sponsor(s), if designated, are listed below each bill title. All adopted amendments are listed by paper number. A subject index for each committee is included immediately before the bill summaries for that committee, and a numerical index by LD number is included at the back of the document. A separate publication, History and Final Disposition of Legislative Documents, may also be helpful in providing information on the disposition of bills. These bill summaries also are available at the Law and Legislative Reference Library and on the Internet (www.state.me.us/legis/opla).

Final action on each bill is noted to the right of the bill title. The abbreviations used for various categories of final action are as follows:

- CARRIED OVER Bill Carried Over to Second Regular Session
CON RES XXX..... Chapter # of Constitutional Resolution passed by both Houses
CONF CMTE UNABLE TO AGREE..... Committee of Conference unable to agree; bill died
DIED BETWEEN BODIES..... House & Senate disagree; bill died
DIED IN CONCURRENCE..... One body accepts ONTP report; the other indefinitely postpones the bill
DIED ON ADJOURNMENT..... Action incomplete when session ended; bill died
EMERGENCY..... Enacted law takes effect sooner than 90 days
FAILED EMERGENCY ENACTMENT/FINAL PASSAGE..... Emergency bill failed to get 2/3 vote
FAILED ENACTMENT/FINAL PASSAGE..... Bill failed to get majority vote
FAILED MANDATE ENACTMENT..... Bill imposing local mandate failed to get 2/3 vote
NOT PROPERLY BEFORE THE BODY..... Ruled out of order by the presiding officers; bill died
INDEF PP..... Bill Indefinitely Postponed
ONTP..... Ought Not To Pass report accepted
OTP ND..... Committee report Ought To Pass In New Draft
OTP ND/NT..... Committee report Ought To Pass In New Draft/New Title
P&S XXX..... Chapter # of enacted Private & Special Law
PUBLIC XXX..... Chapter # of enacted Public Law
RESOLVE XXX..... Chapter # of finally passed Resolve
UNSIGNED..... Bill held by Governor
VETO SUSTAINED..... Legislature failed to override Governor's Veto

Please note the effective date for all non-emergency legislation enacted in the First Regular Session (unless otherwise specified in a particular law) is June 29, 2005; and for non-emergency legislation enacted in the First Special Session is September 17, 2005.

Joint Standing Committee on Inland Fisheries and Wildlife

LD 980

An Act To Distribute Fees from All-terrain Vehicle Registrations

ONTP

<u>Sponsor(s)</u> MOODY		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 980 proposed to make a temporary ATV fee permanent by increasing the annual ATV registration fee for residents to \$20 and for nonresidents to \$38. This act also proposed to distribute all revenue generated from the registration of ATVs in a manner similar to the distribution of revenue from the registration of snowmobiles.

Currently, an additional \$3 temporary fee, scheduled to expire June 30, 2005, is imposed on the registrations of ATVs; the fee is dedicated to the ATV Recreational Management Fund in the Department of Conservation.

LD 1004

An Act To Amend Certain Fish and Wildlife Laws

**DIED BETWEEN
HOUSES**

<u>Sponsor(s)</u> BRYANT B		<u>Committee Report</u> OTP-AM		<u>Amendments Adopted</u>
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LD 1004 proposed to do the following:

Add bow and arrow, archery equipment and hunting equipment to the items subject to seizure but not subject to libel requirements under enforcement and court procedures.

Add 2 permits to the list of items available to resident disabled veterans, to make it consistent with the over-70 complimentary licenses and permits.

Correct the reference to the education program that is required for archery licenses.

Change the term "muzzle-loading license" to "muzzle-loading permit." It is not considered a license because a person must possess a firearms license in order to obtain this permit.

Change the penalty for hunting without a license from \$50 plus an amount equal to twice the applicable license fee to a \$100 fine. The \$100 fine would be consistent with other license violation penalties.

Remove the restriction would be for fishing with artificial flies of attaching the flies to a line so that anglers would be allowed to attach dropper flies to the shank of the hook.

Change the beginning date that the special hide dealer's license is valid from September 1st to August 1st so that it would fall within the time period that hunting seasons are open.

Clarify that lake and river protection stickers must be permanently affixed to watercraft and are not transferable.

Correct conflicts within the all-terrain vehicle laws.

Change language dealing with penalties to bring the inland fisheries and wildlife laws into conformity with MCJUSTIS.

Joint Standing Committee on Inland Fisheries and Wildlife

Correct cross-references.

Committee Amendment "A" (S-317) proposes to do the following:

1. Change the State Government Evaluation Act review for the Department of Inland Fisheries and Wildlife from 2005 to 2007;
2. Increase the penalty for taking an antlerless deer in Washington County without a permit from a Class E crime to a Class D crime with a mandatory minimum fine of \$1,000 and at least 3 days in jail;
3. Clarify where a person can fish around fishways on East Grand Lake Dam and Spednic Lake Dam;
4. Clarify that the prohibition on possessing, selling or transporting an endangered or threatened species also applies to the parts of those species;
5. Provide a resident disabled veteran a complimentary guide license if that veteran meets the qualifications for a guide license under the Maine Revised Statutes, Title 12;
6. Clarify that a person may not fish with more than 3 unbaited artificial flies individually attached to a line or hook; and
7. Correct technical conflicts and cross-reference errors created during the recodification and revision of the Maine Revised Statutes, Title 12. All corrections are technical and do not make substantive changes to the law.

House Amendment "A" (H-668) proposed to allow the holder of a super pack license to take one deer and one antlerless deer per year and clarify that a super pack antlerless deer permit authorizes the holder to take an antlerless deer only pursuant to that permit. It would also provide that a person who hunts with a crossbow is subject to all applicable laws and rules.

House Amendment "A" to Senate Amendment "A" (H-684) proposed to remove the provision concerning the permission requirement.

Senate Amendment "A" (S-330) proposed that permission would not required of a landlord or lessee for a person to operate an ATV over land on which that person has a deeded right-of-way. This amendment also adds an emergency preamble and an emergency clause to the bill.

Senate Amendment "A" to House Amendment "A" (S-361) proposed to clarify that the holder of a super pack license can only use the antlerless deer permit that is issued as part of the super pack license to take an antlerless deer. The amendment would also makes technical changes to the house amendment.